FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE ATENT AND TRADEMARK OFFICE (Rev. 11-2000) **TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371**	ATTORNEY'S DOCKET NUMBER 76775.8 U.S. APPLICATION NO. 10/537459

INTERNATIONAL APPLICATION NO. PCT/CH03/00686	INTERNATIONAL FILING DATE 22 October 2003	PRIORITY DATE CLAIMED 18 December 2002

TITLE OF INVENTION: Production of a Polyester Hollow Body or its Preform with a Reduced Acetaldehyde

APPLICANT(S) FOR DO/EO/US: Andreas Christel et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒   This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☐   This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☒   This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. ☒   The US has been elected by the expiration of 19 months from the priority date (Article 31).

5. ☒   A copy of the International Application as filed (35 U.S.C. 371(c)(2))

     a. ☐   is attached herewith (required only if not communicated by the International Bureau).

     b. ☒   has been communicated by the International Bureau.

     c. ☐   is not required, as the application was filed in the United States Receiving Office (RO/US)

6.   An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))

     a. ☐   is attached hereto.

     b. ☒   has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☒   Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

     a. ☐   are attached hereto (required only if not communicated by the International Bureau).

     b. ☒   have been communicated by the International Bureau.

     c. ☐   have not been made; however, the time limit for making such amendments has NOT expired.

     d. ☐   have not been made and will not be made.

8.   An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).

9. ☒   An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐   An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern other document(s) or information included:

11. ☐   An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐   An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☐   A **FIRST** preliminary amendment.

14. ☐   A **SECOND or SUBSEQUENT** preliminary amendment.

15. ☐   A substitute specification.

16. ☐   A change of power of attorney and/or address letter.

17. ☐   A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.

18. ☐   A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐   A second copy of the English language translation of the international application under 35 U.S.C. 15(d)(4).

20. ☐   Other items or information:

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/537459	INTERNATIONAL APPLICATION NO. PCT/CH03/00686	ATTORNEY'S DOCKET NUMBER 76775.8

21. ☒ The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO and JPO $1053.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .... $

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .... $

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .... $

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .... $

CALCULATIONS   PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT = | $ 1053.00

Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | $

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	$
Total Claims	25 - 20 =	5	X $50.00	$ 250.00
Independent Claims	2 - 3 =		X $	$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $360.00	$ 360.00

TOTAL OF ABOVE CALCULATIONS   = | $

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½ | $ .00

SUBTOTAL   = | $ 1613.00

Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)) | $

TOTAL NATIONAL FEE   = | $ .00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property | $

TOTAL FEES ENCLOSED = | $ 1613.00

| | Amount to be refunded: | $ |
| | charged: | $ |

a. ☒ A check no. _____ in the amount of $1613.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. **03-0678** in the amount of $_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **03-0678**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit Card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Francis C. Hand, Esq.
Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein
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SIGNATURE
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REGISTRATION NUMBER 22,280

EXPRESS MAIL LABEL: EV310740027US   DATE: June 3, 2005
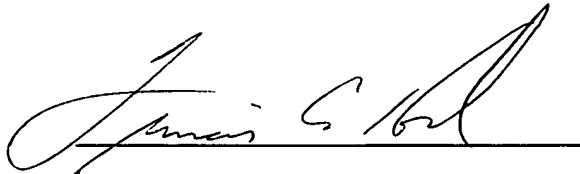
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EXPRESS MAIL CERTIFICATION

Sir:

I hereby certify that this correspondence is being deposited with the US Postal Service Express Mail No. EV310740027US under 37 CFR 1.10 with sufficient postage on the date and address indicated on:

June 3 2005

Date: June 3, 2005

By: Francis C. Hand, Esq.

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